



EDMUND G. BROWN JR., Governor  
JOHN LAIRD, Secretary for Natural Resources

February 28, 2012

California Congressional Delegation  
U.S. House of Representatives  
Washington, DC 20015

Dear Members of the California Congressional Delegation:

I write with great urgency to again declare the state of California's strong opposition to H.R. 1837, the Sacramento-San Joaquin Valley Water Reliability Act. This bill, if passed and signed into law, will not deliver on its promise of providing greater water reliability and alleviating joblessness. In fact, this bill will have the unintended effect of causing greater uncertainty.

A more effective approach to securing water availability and promoting job creation would be to allow the carefully wrought and strongly supported bipartisan compromise passed by the California State Legislature in 2009 guide a Delta solution. The 2009 compromise provided statutory authority to proceed with the federal- and state-led Bay Delta Conservation Plan, which will achieve the dual co-equal goals of water supply reliability and ecosystem restoration through the use of sound science. H.R. 1837, if enacted, has the potential to wreak havoc with this delicately balanced effort, and could make achieving any final Bay Delta Conservation Plan impossible despite massive investments by numerous California water agencies to achieve a long-term Delta solution.

The state of California is particularly troubled by H.R. 1837's pre-emption of state law (Section 204). The Western States Water Council, a non-partisan organization consisting of representatives appointed by the governors of 18 western states, has rightly objected to H.R. 1837's rejection of this long-held precedent. Congress should not pre-empt the right of California – or any state – to manage water under state water rights law. Despite what proponents point to as the uniqueness of this bill, if passed and enacted, no state will be safe from congressional interference in their water rights laws.

While seeking to increase water supply reliability, H.R. 1837 does not address the other critical threats to California's water supply. The bill is silent on addressing seismic risks, increased salinity from sea-level rise, and the shift in responsibility and cost of meeting environmental requirements from some water rights holder to other water rights holders. The unintended consequences of this bill makes it all that more destructive.

We need consensus-based solutions that meet the dual goals outlined in state law and are based on sound science and sustainable water supply management. Unfortunately, H.R. 1837 will not solve California's difficult water issues. I ask that you oppose H.R. 1837.

Sincerely,

John Laird  
Secretary for Natural Resources

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